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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/917,393	07/27/2001	Ming C. Hao	10010078-1	9963

7590 07/13/2005
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EXAMINER	
GRANT II, JEROME	
ART UNIT	PAPER NUMBER
2626	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/917,393	HAO ET AL.	
	Examiner	Art Unit	
	Jerome Grant II	2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

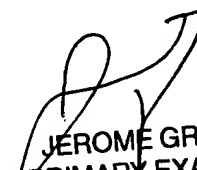
- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-412)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.


JEROME GRANT II
PRIMARY EXAMINER

Detailed Action

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-15, 17-26 and 28-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Gong.

With respect to claim 1, Gong teaches a method for graphically presenting data, said method comprising the computer-implemented steps of: receiving said data (log file or repository) wherein the data comprises a plurality of records, see figure 1, each record of said plurality of records having a plurality of attributes (see attributes at the top portion of figure 1); determining a first attribute (classification according to the column of attribute 120, selected from said plurality of attributes, a second attribute (classification 130) and a third attribute (140) wherein each of the attributes are

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different. Gong further teaches arranging the plurality of records to construct a graphically displayable array (see display device 85 of figure 8) for displaying a plurality of data points (inherent) each of the points representing one record of plural records where the first attribute corresponds to a first axis (columns 1-3) and said second attribute corresponds to a second axis (columns 3-5) and the third attribute corresponds to a visual indicator (data attributes for visually indicating the item and its corresponding price).

With respect to claims 2, 13 and 24, Gong teaches sorting the plurality of records according to said first attribute (clearly shown by figure 1) and dividing the plurality of records into groups according to a first attribute (the groups are "gender" and "type"; sorting the records into a second attribute "type", "color", and "style"; and sorting records of each horizontal line (corresponding to different women) of each groups according to said third attribute (price, item and image, i.e., 1-246).

With respect to claims 3, 14 and 25 the limitation of this claim is clearly shown by figure 1.

With respect to claims 4, 15 and 26 Gong further teaches arranging the plurality of records to construct a graphically displayable array (see display device 85 of figure 8) for displaying a plurality of data points (inherent) each of the points representing one record of plural records where the first attribute corresponds to a first axis (columns 1-3) and said second attribute corresponds to a second axis (columns 3-5) and the third attribute corresponds to a visual indicator (data attributes for visually indicating the item and its corresponding price).

With respect to claims 6, 17 and 28 Gong clearly shows that all attributes are recorded as vertical, see figure 1.

With respect to claims 7, 18 and 29, Gong teaches the visual indicator is an image which is a color image thus meeting the claim limitation.

With respect to claims 8, 19 and 30 Gong teaches this limitation in reference to women 1-256 who desire to review merchandise.

With respect to claims 9, 20 and 31 Gong teaches the cursor is moved by a pointing device 854.

With respect to claims 10, 21 and 32 Gong teaches subsets of data points corresponding to any one of the attributes within the attribute groups 120, 130 and 140.

With respect to claims 11, 22 and 33 Gong teaches 854 which is the means for moving the cursor over the display 856.

With respect to claim 12, Gong teaches a computer system 800 comprising: a bus 808; a display device 862 connected to the bus; a computer readable memory 812 coupled to the bus 808 and a processor 810 coupled to the bus 808 as claimed, comprising the steps of: receiving said data (log file or repository) wherein the data comprises a plurality of records, see figure 1, each record of said plurality of records having a plurality of attributes (see attributes at the top portion of figure 1); determining a first attribute (classification according to the column of attribute 120, selected from said plurality of attributes, a second attribute (classification 130) and a third attribute (140) wherein each of the attributes are different. Gong further teaches arranging the plurality of records to construct a graphically displayable array (see display device 85 of figure 8) for displaying a plurality of data points (inherent) each of the points representing one record of plural records where the first attribute corresponds to a first axis (columns 1-3) and said second attribute corresponds to a second axis (columns 3-5) and the third attribute corresponds to a visual indicator (data attributes for visually indicating the item and its corresponding price).

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With respect to claim 23, Gong teaches a computer readable medium 812 having a computer readable program code (inherent in ROM 834) embodied therein for causing a computer system (800) to perform:

receiving said data (log file or repository) wherein the data comprises a plurality of records, see figure 1, each record of said plurality of records having a plurality of attributes (see attributes at the top portion of figure 1); determining a first attribute (classification according to the column of attribute 120, selected from said plurality of attributes, a second attribute (classification 130) and a third attribute (140) wherein each of the attributes are different. Gong further teaches arranging the plurality of records to construct a graphically displayable array (see display device 85 of figure 8) for displaying a plurality of data points (inherent) each of the points representing one record of plural records where the first attribute corresponds to a first axis (columns 1-3) and said second attribute corresponds to a second axis (columns 3-5) and the third attribute corresponds to a visual indicator (data attributes for visually indicating the item and its corresponding price).

2.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 16 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gong.

With respect to claims 5 and 16, Gong teaches all of the subject matter upon which this claim depends except for the horizontal line as claimed.

However, it would have been obvious to one of ordinary skill in the art to arrange the table so that the x-axis attributes are translated to y and the y-axis attributes are translated to x without changing the effect of the table as a matter of convenience.

Since no particular advantage is obtained in a horizontal axis attribute the purpose of a horizontal or vertical attribute would have been within the level of ordinary skill in the art to interchange them for the purpose of categorizing attributes of records.

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3.

Examiner's Remarks

At page 3, first full paragraph, applicant argues that Dong does not teach a graphically displayable array of data points. Yet, the examiner has explained in the last office action that the display device 85, as shown by figure 8, shows the graphic display device with data points in the first axis 1-3 and the second axis 3-5. Applicant has not provided a rationale that would explain why device 85 does not constitute the claimed invention.

From the last two lines of page 5 to the first two lines of page 6, applicant argues the necessity of a column and line number for displaying a plurality of data points representing a record. For example, gender and type constitute a particular record, moreover, type, color and style as well as price, item and image constitute data points pertaining to a particular record.

The second full paragraph of page 6 is an apparent allegation that additional features are not present in Gong. This argument is not persuasive since the specific features have not been mentioned and no support for contention was provided.

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In the middle of the second full paragraph, of page 7, applicant argues that Gong does not teach, describe or suggest, "all of the received data is displayed." Upon closer view, claims 5, 16 or 27 specifically claims or suggests to claim this limitation. Hence, applicant is arguing limitations which are not supported in the claim.

In the last paragraph of page 7, applicant alleges that the combination of Leung and Nelson does not provide the claimed embodiments. No claimed embodiments have been recited to refute the contention. Applicant's statements appear to be mere allegations.

4.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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5.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

J. Grant II



JEROME GRANT II
PRIMARY EXAMINER